

**Before the
Federal Communications Commission**

In the Matter of:

Public Safety and Homeland Security Bureau
Seek Comment on Requests for Waiver of the
January 1, 2013 VHF-UHF Narrowbanding
Deadline

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WT Docket No. 99-87

**REPLY COMMENTS OF
THE NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS COUNCIL**

The National Public Safety Telecommunications Council (NPSTC) submits these Reply Comments in response to the Commission's Public Notice announcing the Public Safety and Homeland Security Bureau's request for comments in the above-captioned proceeding.¹

NPSTC notes the Commission also previously released a Public Notice with guidance for licensees to use regarding such waiver requests. NPSTC believes that guidance provides reasonable criteria to be used in assessing requests for waiver of the January 1, 2013 deadline.² In addressing such requests, NPSTC encourages the Commission to be mindful of real challenges public safety licensees face in narrowbanding, for example, situations in which funding is simply not available.

¹ See Public Safety and Homeland Security Bureau Seek Comment on Requests for Waiver of the January 1, 2013 VHF-UHF Narrowbanding Deadline, *Public Notice* DA 12-90 in WT Docket No. 99-87, released January 27, 2012.

² See Wireless Telecommunications Bureau, Public Safety and Homeland Security Bureau, and Office of Engineering and Technology Provide Reminders of the January 1, 2013 Deadline for Transition to Narrowband Operations in the 150-174 MHz and 421-512 MHz Bands and Guidance for Submission of Requests for Waiver and Other Matters, *Public Notice*, DA 11-1189, released July 13, 2011.

The National Public Safety Telecommunications Council

The National Public Safety Telecommunications Council is a federation of public safety organizations whose mission is to improve public safety communications and interoperability through collaborative leadership. NPSTC pursues the role of resource and advocate for public safety organizations in the United States on matters relating to public safety telecommunications. NPSTC has promoted implementation of the Public Safety Wireless Advisory Committee (PSWAC) and the 700 MHz Public Safety National Coordination Committee (NCC) recommendations. NPSTC explores technologies and public policy involving public safety telecommunications, analyzes the ramifications of particular issues and submits comments to governmental bodies with the objective of furthering public safety telecommunications worldwide. NPSTC serves as a standing forum for the exchange of ideas and information for effective public safety telecommunications.

The following 15 organizations participate in NPSTC:

- American Association of State Highway and Transportation Officials
- American Radio Relay League
- Association of Fish and Wildlife Agencies
- Association of Public-Safety Communications Officials-International
- Forestry Conservation Communications Association
- International Association of Chiefs of Police
- International Association of Emergency Managers
- International Association of Fire Chiefs
- International Municipal Signal Association
- National Association of State Chief Information Officers
- National Association of State Emergency Medical Services Officials
- National Association of State Foresters
- National Association of State Technology Directors
- National Emergency Number Association
- National Sheriffs' Association

Several federal agencies are liaison members of NPSTC. These include the Department of Homeland Security (the Federal Emergency Management Agency, the Office of Emergency Communications, the Office of Interoperability and Compatibility, and the SAFECOM Program; Department of Commerce (National Telecommunications and Information Administration);

Department of the Interior; and the Department of Justice (National Institute of Justice, CommTech Program). NPSTC has liaison relationships with associate members, the Telecommunications Industry Association, the Canadian Interoperability Technology Interest Group, the National Council of Statewide Interoperability Coordinators and the Utilities Telecom Council.

NPSTC Comments

NPSTC has been an active participant over the last several years to help increase awareness throughout the public safety community of the VHF/UHF narrowbanding requirements. These requirements include the January 1, 2013 deadline by which licensees in the VHF and UHF bands are to have narrowbanding completed. Over two years ago, NPSTC placed a narrowbanding countdown clock on its website reminding licensees of the time remaining before the January 1, 2013 deadline. NPSTC has also provided public safety licensees a central point where they can access information relative to narrowbanding from a variety of sources. These include both technical and non-technical documents and articles related to narrowbanding, links to other web sites pertinent to narrowbanding including those established by the Commission, the Department of Homeland Security, other public safety organizations and industry, and clarifying tools such as a narrowbanding Q&A. We believe NPSTC's efforts, along with those of its member organizations, industry, the FCC and DHS, have significantly increased awareness on the VHF/UHF narrowbanding requirements over the last several years.

NPSTC continues to support the end goal of narrowbanding, i.e., making more efficient use of the limited spectrum available. Unfortunately, in parallel to the increase in awareness and attention to narrowbanding that NPSTC and others have helped provide, some agencies still face challenges in completing narrowbanding by the deadline. The availability of funding is one of the biggest challenges agencies face in these times of tight budgets. In addition, scheduling narrowbanding is not always a simple task because multiple agencies in a region that rely on one another for operational

assistance must coordinate closely to maintain interoperability during the narrowbanding transition. For instance, every hospital that receives emergency patients is a region unto itself, needing to communicate with several to dozens of different ambulance services. Others are in the process of migrating their critical voice operations to another band, e.g., to the 700 MHz Narrowband spectrum or to 800 MHz.

The Public Notice requesting comments lists twenty-one public safety jurisdictions or departments that have requested a waiver of the January 1, 2013 deadline. In its previous Public Notice, the Commission set forth guidance for submission of such waiver requests. This guidance advised licensees to explain their good faith diligence to narrowband expeditiously, address specific circumstances that warrant a temporary extension of the deadline, and advise the amount of additional time that would be needed to complete the narrowbanding process. The Commission expanded on the information it wants to see in any waiver requests, including the following:

- System size and complexity
- Whether system equipment is narrowband-capable or must be replaced or upgraded
- Whether the licensee plans additional system upgrades or improvements in addition to converting to narrowband operation
- Funding sources, including whether the licensee's budget requires government approval or a multi-year budget process
- Whether the licensee's narrowbanding schedule is affected by neighboring systems due to interoperability relationships or other interdependencies
- Plans to minimize the negative impact of extended wideband operations on co-channel and adjacent channel operations, including a description of the spectrum environment in the affected area
- If the licensee plans to migrate to a non-VHF/UHF band (e.g., 700 MHz or 800 MHz), whether it will relinquish VHF/UHF spectrum once it has migrated and the amount of spectrum to be relinquished

NPSTC believes review of this type of information provides a logical approach to addressing request for waivers of the deadline. Therefore, NPSTC believes the Public Safety and Homeland Security Bureau already has a reasonable basis upon which to determine whether waivers should be granted to some or all of those twenty-one entities and to others who may subsequently file similar

waiver requests. NPSTC urges the Public Safety and Homeland Security Bureau and the Commission to provide a fair and well-reasoned review to these requests for waivers, considering both the challenges public safety entities are facing and any potential impact an extension of the deadline would pose to other licensees who have or are able to comply with the January 1, 2013 date. NPSTC pledges its continued support to, and involvement with, those in the public safety community and the Commission regarding the narrowbanding transition.

Conclusion

NPSTC has taken a number of steps over the past several years to increase awareness of the Commission's VHF/UHF narrowbanding requirements. Despite increased awareness, some agencies do not have the resources available to complete narrowbanding by the deadline. NPSTC notes the Commission previously set forth guidelines upon which waiver requests can be judged and recommends application of those guidelines to the twenty-one requests for waiver listed in the Public Notice requesting comments.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ralph A. Haller", written over a horizontal line.

Ralph A. Haller, Chairman
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